

Remarks/Arguments:

Applicants gratefully acknowledge the courtesy of the Examiner for granting a telephone interview conducted on May 2, 2008.

The Office Action Summary page indicates that the specification and drawings were objected to by the Examiner. The Detailed Action, however, does not indicate any objection to the specification or drawings. Applicants assume that the indication on Office Action Summary page is a clerical error and therefore, there is no objection to the specification and drawings. Accordingly, the objections are not addressed by Applicants.

Claims 1-15 are pending in the above-identified application.

Claims 1-15 were rejected under 35 U.S.C. § 102 (e) as being anticipated by Bracamonte et al. Claim 1 is amended to recite features neither disclosed or suggested by the prior art, namely, "... a plurality of **different** sample data sizes ..." (Emphasis added).

During the interview, the Examiner indicated that the prior art did not appear to disclose, "... a plurality of **different** sample data sizes ..." The Examiner indicated, however, that further consideration was needed. Accordingly, this amendment is being filed so that it can be considered.

Thus, Applicants respectfully submit that claim 1 is allowable over the art of record. Claims 2-6 and 12-13 ultimately depend from claim 1. Accordingly, claims 2-6 and 12-13 are likewise allowable over the art of record.

Claim 7, while not identical to claim 1, includes features similar to those set forth above with regard to claim 1. Thus, claim 7 is also allowable over the art of record for reasons similar to those set forth above with regard to claim 1. Claims 8-11 and 14-15 ultimately depend from claim 7. Accordingly, claims 8-11 and 14-15 are likewise allowable over the art of record.

Application No.: 10/721,389
Amendment Dated July 9, 2008
Reply to Office Action of April 14, 2008

MAT-8475US

In view of the foregoing amendments and remarks, Applicants submit that this Application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



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